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Attorney for Anchorage District  
Attorney's Office and Susan Parkes

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

WILLIAM G. OSBORNE,	)	
	)	
Plaintiff,	)	
	)	No. A03-0118 Civil (RRB)
vs.	)	
	)	
ANCHORAGE DISTRICT	)	AFFIDAVIT IN SUPPORT
ATTORNEY'S OFFICE; SUSAN A.	)	OF MOTION TO EXTEND
PARKES, DISTRICT ATTORNEY, in )	)	TIME FOR FILING
her official capacity; ANCHORAGE )	)	OPPOSITION TO MOTION
POLICE DEPT.; WALT MONEGAN, )	)	FOR SUMMARY JUDGMENT
ANCHORAGE POLICE CHIEF, in )	)	
his official capacity,	)	
	)	
Defendants.	)	
_____	)	

Nancy R. Simel affirms the following to be true and correct:

1. I am employed as an assistant attorney general in the Office of Special Prosecutions and Appeals and have been assigned to represent defendants Anchorage District Attorney's Office and Parkes.

2. In the past sixty days, I have filed a responsive pleading in the Alaska Superior Court in *Anthoney*, No., 3AN-00-6760 Ci., a post-conviction relief action arising from a triple homicide that raises numerous complicated issues and that has been pending for a very long time; a brief in the Alaska Court of Appeals in *Westby*, No. A-8884; a brief in the court of appeals in *Stickman-Sam*, No. A-9307; a supplemental memorandum in the Alaska Court of Appeals in *Slwooko*, No. A-8747; and a response to a petition for hearing in the Alaska Supreme Court in *Kalmakoff*, No. S-12112.

3. I also am responsible for filing; a brief in the Alaska Court of Appeals in *Lineker*, Nos. A-8957 & A-8967; a brief in the Alaska Court of Appeals in *Basargin*, No. A-9348; and a brief in the Alaska Court of Appeals in *Holan*, No. A-8802; .

4. Osborne's motion for summary judgment raises a number of procedural and substantive issues, including one of first impression in this circuit. I have conducted most of the necessary research and I have drafted a substantial portion of the opposition. I still, however, have additional work to do in order to complete the opposition. I anticipate that it will take me approximately fifteen days to accomplish this task and have the opposition finalized.

5. I left a message for Robert Bundy, Osborne's attorney of record, with his secretary, informing him of my intent to request an extension of fifteen days. As of this writing, I have not heard back from him.

Nancy R. Smell

SUBSCRIBED AND SWORN to before me this 30th day of January, 2006.

Vivien M. Noll

Notary Public in and for Alaska

My commission expires: 2/17/06

